

060001338

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CULPEPER

MELODY L. FRAZIER
(formerly Melody L. Vaughn),
Plaintiff

v.

Case No. 2006-L-64

FRANK T. DOMBROWSKI,

Defendant

CONSENT DEFAULT JUDGMENT ORDER
ESTABLISHING JUDGMENT AMOUNT

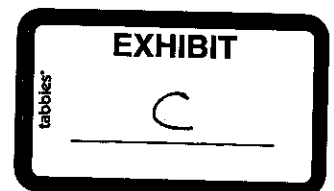
This cause came to be heard upon Plaintiff's motion to determine damages based upon a Default Judgment Order previously entered against Defendant Frank T.

Dombrowski on October 24, 2006. Appearing for Plaintiff Melody L. Frazier was Robert J. Light, Esq. Appearing for Defendant Frank T. Dombrowski was A.L. Robertson, Jr., Esq.

WHEREUPON, it was announced to the Court that the parties in this matter had agreed upon the amount of damages to be assessed against Defendant pursuant to the October 24, 2006 Default Judgment Order of this Court. Further, it was also announced to the Court that the parties had agreed upon the disposition of the remainder of funds being held by the Clerk of this Court as Trust Funds Administrator.

It is therefore ADJUDGED, ORDERED, and DECREED that:

1. The Default Judgment Order dated October 24, 2006 entered by this Court is hereby incorporated by reference herein as applicable.



2. PLAINTIFF MELODY L. FRAZIER is hereby awarded JUDGMENT AGAINST DEFENDANT FRANK T. DOMBROWSKI for (i) the sum of \$73,500.00, representing the unpaid principal balance on the promissory notes (including credits) as modified and as set forth in the Complaint for Judgment; (ii) plus interest at the contract rate of eleven percent (11%) per annum from September 15, 2006; (iii) plus attorney's fees in the amount of \$13,700.00; and (iv) court costs.
3. The Clerk of this Court is hereby directed to pay to the order of Plaintiff Melody L. Frazier all remaining amounts (including accrued interest, if any) being held by the Clerk of this Court as Trust Funds Administrator pursuant to an Order of this Court entered on August 16, 2006. All amounts paid to Plaintiff Melody L. Frazier by the Clerk of this Court as Trust Funds Administrator shall be credited against the judgment issued by this Court against Defendant Frank T. Dombrowski.

The Clerk of this Court is hereby directed to send a certified copy of this Order to Plaintiff's counsel and to Defendant's counsel in this action, who shall file such objections hereto as deemed advisable within ten (10) days of his or her receipt of a copy of this Order. This is a final order, and the Clerk is hereby directed to place this matter in the ended law causes.

ENTER: _____

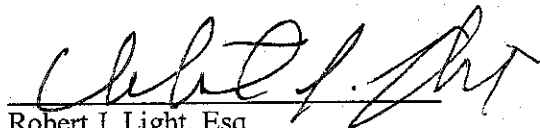

Judge

DATE: _____

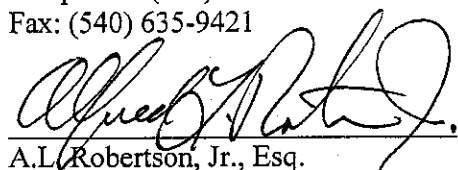
11-18-06

WE ASK FOR THIS:

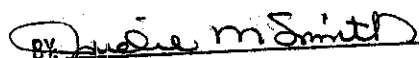
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mailed
11-21-06


Robert J. Light, Esq.
Counsel for Plaintiff
Lawson & Silek, PLC
43 Chester Street
P.O. Box 602
Front Royal, Virginia 22630
Telephone: (540) 635-9415
Fax: (540) 635-9421

Copy
mailed
11-21-06



A.L. Robertson, Jr., Esq.
Stephen J. Sheehy, III & Associates, P.L.L.C.
Counsel for Defendant Frank T. Dombrowski
7700 Little River Turnpike
Suite 604
Annandale, Virginia 22003
Telephone: (703) 256-6200
Fax: (703) 256-4851

VIRGINIA: IN CULPEPER COUNTY CIRCUIT COURT CLERK'S OFFICE
I CERTIFY THAT THE DOCUMENT TO WHICH THIS AUTHENTICATION
IS AFFIXED IS A TRUE COPY OF A RECORD IN THE CULPEPER COUNTY
CIRCUIT COURT, THAT I HAVE CUSTODY OF SAID RECORD, AND THAT I AM
THE CUSTODIAN OF THAT RECORD.
GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, THIS
21st DAY OF November 2006
TESTE: JANICE J. CORBIN, CLERK

BY:  DEPUTY CLERK

VIRGINIA
IN THE CLERK'S OFFICE OF
CULPEPER

NOVEMBER 21, 2006 AT 09:35AM
JUDGMENT/RELEASE #060001338 WAS DOCKETED
UPON CERTIFICATION OF ACKNOWLEDGEMENT
THERETO ANNEXED, ADMITTED TO RECORD.
THE FEE IMPOSED BY SEC. 17.1-275(17)
OF THE VIRGINIA CODE, HAS BEEN PAID.
RCPT: 06000021024 BK: PG:
TESTE: JANICE J. CORBIN, CLERK

BY:  D.C.

entered
10-24-06

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CULPEPER

MELODY L. FRAZIER
(formerly Melody L. Vaughn),
Plaintiff

v.

Case No. 2006-L-64

FRANK T. DOMBROWSKI,
Defendant

DEFAULT JUDGMENT ORDER

This cause came to be heard on October 24, 2006 upon Plaintiff's renewed motion for default judgment against Defendant Frank T. Dombrowski. Appearing for Plaintiff Melody L. Frazier was Robert J. Light, Esq. Appearing for Defendant was A.L. Robertson, Jr., Esq. This motion was argued by counsel. Evidence was heard ore tenus.

WHEREUPON, the Court, having examined the August 16, 2006 Order Granting Defendant Leave to File A Late Answer and Leave to Plaintiff to File an Amended Complaint (hereinafter the "August Order"), finds that Defendant ~~(i) has failed to comply with the August Order as set forth in Plaintiff's Renewed Motion for Entry of Default Judgment; and (ii) has failed to file a response to the Amended Complaint. Therefore, Defendant's Answer previously filed with this Court is deemed to be null and void, Defendant is in default, and Plaintiff is entitled to judgment against Defendant for (a) a breach of a certain Security Agreement as set forth in Plaintiff's Complaint for Judgment filed with this Court on February 15, 2006 and (b) breach of the Promissory Note (as modified by the Modification Agreement) by failure to pay the entire balance in full upon~~

^{of the}
demand, as set forth in the August Order. As a result ~~of the breach of the Security~~

~~Agreement~~ and the breach of the Promissory Note as amended, Defendant is immediately

liable to Plaintiff for the unpaid balance of the Promissory Note dated March 15, 2004 as

modified by separate agreement dated June 29, 2005, plus interest, attorney fees and

court costs as set forth in the ~~Security Agreement and~~ the Promissory Note. Furthermore, ^{based on}

^{he is unable}
^{uninsured}
^{by counsel,}
^{immediately}
this Court finds that Plaintiff is entitled to certain proceeds being held by this Court as ¹

Trust Funds Administrator in the amount of ^{20,000.00} ~~\$52,424.25~~, plus any accrued interest.

It is therefore ADJUDGED, ORDERED, and DECREED that:

1. PLAINTIFF MELODY L. FRAZIER is hereby awarded JUDGMENT

AGAINST DEFENDANT FRANK T. DOMBROWSKI for (i) ~~the sum of~~

~~\$74,445.72~~, representing the unpaid principal balance on the promissory

notes ~~(including credits as of September 15, 2006)~~ as modified and as set

~~forth in the Complaint for Judgment and Amended Complaint;~~ (ii) plus

^{Contract}
interest at the rate of eleven percent (11%) ~~per annum from September 15,~~

~~2006 and continuing until paid in full;~~ (iii) plus attorney's fees ^{as provided} in the

^{for in the Promissory Note}
~~amount of \$11,166.86, said sum representing fifteen percent (15%) of the~~

~~unpaid balance due and owing as per Paragraph (7) of the Security~~

~~Agreement;~~ (iv) plus attorney's fees ordered by this Court in the August

Order in the amount of \$1,200.00 and (v) court costs. ^{Further, Defendant's}
^{Counsel shall pay}
^{to Plaintiff's counsel the \$1,200.00 within 10 days of this}

2. The Clerk of this Court is hereby directed to pay to the order of Plaintiff ^{Order, based on representation of Defendant's Counsel.}

Melody L. Frazier the amount of ^{20,000.00} ~~\$52,424.25~~, plus accrued interest, if any,

^{a portion of}
representing the amounts paid to the Clerk of this Court as Trust Funds

Administrator by The Cincinnati Insurance Company. Such amount shall

be credited against the judgment issued by this Court against Defendant

Frank T. Dombrowski. *The remainder of the funds shall continue to be held by the clerk of this court*

The Clerk of this Court is hereby directed to send a copy of this Order to

Plaintiff's counsel and to Defendant's counsel in this action, who shall file such objections hereto as deemed advisable within ten (10) days of his or her receipt of a copy

of this Order. This is a final order, and the Clerk is hereby directed to place this matter in the ended law causes. *This matter is continued.*

ENTER: *Wilfredo Martinez*

John R. Cullen, Judge

DATE: *October 24 2006*

I ASK FOR THIS:

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Counsel for Plaintiff
Lawson & Silek, PLC
43 Chester Street
P.O. Box 602
Front Royal, Virginia 22630
Telephone: (540) 635-9415
Fax: (540) 635-9421

SEEN:

Alfred J. Robertson
A.L. Robertson, Jr., Esq.
Stephen J. Sheehy, III & Associates, P.L.L.C.
Counsel for Defendant
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Annandale, VA 22003
Telephone: (703) 256-6200
Fax: (703) 256-4851

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CIRCUIT COURT, THAT I HAVE CUSTODY OF SAID RECORD, AND THAT I AM
THE CUSTODIAN OF THAT RECORD.
GIVEN UNDER MY HAND AND THE SEAL OF THE COURT, THIS
25th DAY OF Oct 2006

TESTE: JANICE J. CORBIN, CLERK

BY: *Janice J. Corbin* DEPUTY CLERK